

ORIGINAL



BEFORE THE ARIZONA CORPORATION COMMISSION

5580

COMMISSIONERS

JEFF HATCH-MILLER – Chairman  
WILLIAM A. MUNDELL  
MIKE GLEASON  
KRISTIN K. MAYES  
BARRY WONG

2006 SEP 19 P 1:50

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
WATER UTILITY OF GREATER BUCKEYE,  
INC., AN ARIZONA CORPORATION, FOR  
AUTHORITY TO ISSUE DEBT.

DOCKET NO. W-02451A-05-0615

MOTION TO SUBSTITUTE

COUNSEL

Water Utility of Greater Buckeye, Inc. ("Applicant") moves that the Commission, through its duly assigned Administrative Law Judge, issue a procedural order permitting the substitution of counsel in this matter. The current counsel of record ("Withdrawing Attorney") and proposed counsel ("Substituting Counsels") are:

Current Counsel of Record

Proposed Counsel

William P. Sullivan  
Curtis, Goodwin, Sullivan,  
Udall & Schwab, P.L.C.  
2712 N. Seventh Street  
Phoenix, Arizona 85006-1003  
602.393.1700  
602.393.1703 (fax)  
[wsullivan@cgsuslaw.com](mailto:wsullivan@cgsuslaw.com)

Michael W. Patten  
Timothy J. Sabo  
Roshka DeWulf & Patten, PLC  
400 East Van Buren, Suite 800  
Phoenix, Arizona 85004  
602.256.6100  
602.256.6800 (fax)  
[mpatten@rdp-law.com](mailto:mpatten@rdp-law.com)  
[tsabo@rdp-law.com](mailto:tsabo@rdp-law.com)

This motion is made pursuant to A.A.C. R14-3-104(E); Rule 5.1(a)(2) of the Arizona Rules of Civil Procedure; and ER 1.16(c) of Rule 42, Rules of the Supreme Court of Arizona. The Commission's rules allow the Administrative Law Judge to approve the withdrawal of any attorney "upon written application and good cause shown under such terms, conditions, and notices to clients and other parties as the Commission or presiding officer may direct." A.A.C. R14-3-104(E).

DOCKETED

SEP 19 2006

DOCKETED BY

*str*

1 As the Commission is aware, Applicant recently became a subsidiary, ultimately, of Global  
2 Water Resources, LLC ("Global Parent"). Specifically, Applicant is a subsidiary of West  
3 Maricopa Combine, Inc. ("WMC"). The shares of WMC were recently acquired by Global Water,  
4 Inc., which is a subsidiary of Global Parent.

5 The Substituting Counsels are the usual and customary lawyers for Global Parent and its  
6 regulated subsidiaries in matters concerning the Commission. The Substituting Counsels are  
7 members in good standing with the State Bar of Arizona and are experienced in representing  
8 parties before the Commission. Applicant has requested that Substituting Counsels represent them  
9 in this matter. Accordingly, there is good cause for this motion.

10 Pursuant to Rule 5.1(a)(2)(A), Arizona Rules of Civil Procedure, attached is the written  
11 approval of the client. (Exhibit A). Also pursuant to that rule, attached is a proposed order.  
12 (Exhibit B).

13 Applicant requests that service upon the Applicant be made to:

14 Michael W. Patten  
15 Timothy J. Sabo  
16 Roshka DeWulf & Patten, PLC  
17 400 East Van Buren, Suite 800  
18 Phoenix, Arizona 85004  
19 (602) 256-6100  
20 (602) 256-6800 (fax)  
21 [mpatten@rdp-law.com](mailto:mpatten@rdp-law.com)  
22 [tsabo@rdp-law.com](mailto:tsabo@rdp-law.com)

23 With a copy to:

24 Mr. Graham Symmonds  
25 Senior Vice President  
26 Global Water Management  
27 21410 North 19<sup>th</sup> Avenue, Suite 201  
Phoenix, Arizona 85027.  
(623) 580-9600

24 Accordingly, Applicant requests that the Commission, through its duly assigned  
25 Administrative Law Judge, issue a procedural order: (1) granting this motion; (2) ordering that the  
26 Substituting Counsels be considered Applicant's counsel of record in this matter; (3) ordering that  
27 the service of all documents be made on Substituting Counsels, with a copy to the Applicant at the

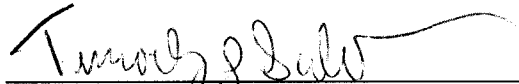
ROSKA DEWULF & PATTEN, PLC  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET - SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

1 address listed above; and (4) permitting Withdrawing Counsel to withdraw entirely from this  
2 matter.

3 RESPECTFULLY SUBMITTED this 19<sup>th</sup> day of September 2006.

4 ROSKA DEWULF & PATTEN, PLC

6 By



7 Michael W. Patten

8 Timothy J. Sabo

400 East Van Buren Street, Suite 800

9 Phoenix, Arizona 85004

Attorneys for Applicant

10 Original and 13 copies of the foregoing  
11 filed this 19<sup>th</sup> day of September 2006 with:

12 Docket Control  
13 Arizona Corporation Commission  
1200 West Washington Street  
14 Phoenix, Arizona 85007

15 Copy of the foregoing hand-delivered/mailed  
this 19<sup>th</sup> day of September 2006 to:

16 William P. Sullivan, Esq.  
17 Curtis, Goodwin, Sullivan,  
Udall & Schwab, P.L.C.  
2712 North Seventh Street  
18 Phoenix, Arizona 85006-1003

19 Lyn Farmer, Esq.  
20 Chief Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
21 1200 West Washington  
Phoenix, Arizona 85007  
22

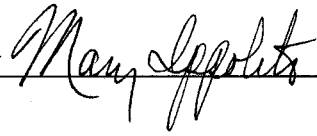
**ROSHKA DEWULF & PATTEN, PLC**

ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET - SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

1 Christopher C. Kempley, Esq.  
2 Chief Counsel, Legal Division  
3 Arizona Corporation Commission  
4 1200 West Washington  
5 Phoenix, Arizona 85007

4 Ernest G. Johnson, Esq.  
5 Director, Utilities Division  
6 Arizona Corporation Commission  
7 1200 West Washington  
8 Phoenix, Arizona 85007

9 By



EXHIBIT

"A"


State of Arizona     )  
                              )  
                              )  
County of Maricopa    )

**AFFIDAVIT OF TREVOR T. HILL**

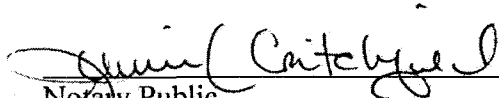
Trevor T. Hill, having been dully sworn, deposes and says:

1. My name is Trevor T. Hill. I am over 18 years old, and I am a resident of Maricopa County, Arizona.
2. I am the President of Global Water Resources, LLC. I am also the President of Water Utility of Greater Tonopah, Inc.; Water Utility of Greater Buckeye, Inc.; Water Utility of Northern Scottsdale, Inc.; Valencia Water Company, Inc.; and Willow Valley Water Co., Inc. (collectively, "Global Subsidiaries")
3. I authorize and request that Michael W. Patten and Timothy J. Sabo of the law firm Roshka, DeWulf and Patten, PLC, be substituted as the counsel of record for the Global Subsidiaries in all matters pending before the Arizona Corporation Commission, including without limitation Docket Numbers W-02450A-06-0253; W-02450A-04-0837; W-02451A-05-0615, W-02450A-05-0607, W-01212A-05-0606 and W-01732A-05-0532.

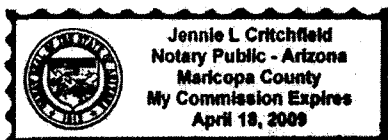
Further affiant sayeth not.

  
\_\_\_\_\_  
Trevor T. Hill

Subscribed and sworn before me this 18 day of September, 2006

  
\_\_\_\_\_  
Notary Public  
My Commission Expires 4/18/09

(Seal)



EXHIBIT

"B"

1                                   **BEFORE THE ARIZONA CORPORATION COMMISSION**

2   **COMMISSIONERS**

3   **JEFF HATCH-MILLER** – Chairman  
4   **WILLIAM A. MUNDELL**  
5   **MIKE GLEASON**  
6   **KRISTIN K. MAYES**  
7   **BARRY WONG**

8   IN THE MATTER OF THE APPLICATION OF )  
9   WATER UTILITY OF GREATER BUCKEYE, )  
10   INC., AN ARIZONA CORPORATION, FOR )  
11   AUTHORITY TO ISSUE DEBT. )

DOCKET NO. W-02451A-05-0615

**[PROPOSED] PROCEDURAL**

**ORDER**

12           On September \_\_\_\_, 2006, Water Utility of Greater Tonapah (“Applicant”) filed a motion  
13   to substitute counsel pursuant to A.A.C. R14-3-104(E); Rule 5.1(a)(2) of the Arizona Rules of  
14   Civil Procedure; and ER 1.16(c) of Rule 42, Rules of the Supreme Court of Arizona. Attached to  
15   the motion was an affidavit from the Applicant’s President authorizing the motion. The current  
16   counsel of record (“Withdrawing Counsel”) is:

17                           William P. Sullivan  
18                           Curtis, Goodwin, Sullivan,  
19                           Udall & Schwab, P.L.C.  
20                           2712 N. Seventh Street  
21                           Phoenix, Arizona 85006-1003  
22                           (602) 393-1700  
23                           (602) 393-1703 (fax)  
24                           wsullivan@cgsuslaw.com

25           The proposed counsel (“Substituting Counsels”) is:

26                           Michael W. Patten  
27                           Timothy J. Sabo  
28                           Roshka DeWulf & Patten, PLC  
29                           400 East Van Buren, Suite 800  
30                           Phoenix, Arizona 85004  
31                           (602) 256-6100  
32                           6(02) 256-6800 (fax)  
33                           mpatten@rdp-law.com  
34                           tsabo@rdp-law.com

**ROSHKA DeWULF & PATTEN, PLC**  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET - SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Good cause having been shown, the motion should be granted.

IT IS THEREFORE ORDERED that Applicant's Motion to Substitute Counsel is granted.

IT IS FURTHER ORDERED that Substituting Counsels shall be considered Applicant's counsel of record in this proceeding.

IT IS FURTHER ORDERED that service of all documents upon Applicant shall be made to:

Michael W. Patten  
Timothy J. Sabo  
Roshka DeWulf & Patten, PLC  
400 East Van Buren, Suite 800  
Phoenix, Arizona 85004  
(602) 256-6100  
(602) 256-6800 (fax)  
[mpatten@rdp-law.com](mailto:mpatten@rdp-law.com)  
[tsabo@rdp-law.com](mailto:tsabo@rdp-law.com)

With a copy to:

Mr. Graham Symmonds  
Senior Vice President  
Global Water Management  
21410 North 19<sup>th</sup> Avenue, Suite 201  
Phoenix, Arizona 85027.  
(623) 580-9600

IT IS FURTHER ORDERED that Withdrawing Counsel is permitted to withdraw from this matter entirely.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
AMY BJELLAND  
ADMINISTRATIVE LAW JUDGE

**ROSHKA DeWULF & PATTEN, PLC**  
ONE ARIZONA CENTER  
400 EAST VAN BUREN STREET - SUITE 800  
PHOENIX, ARIZONA 85004  
TELEPHONE NO 602-256-6100  
FACSIMILE 602-256-6800

1 Original and 13 copies of the foregoing  
2 filed this \_\_\_\_ day of September 2006 with:

3 Docket Control  
4 Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

5 Copy of the foregoing hand-delivered/mailed  
6 this \_\_\_\_ day of September 2006 to:

7 Michael W. Patten, Esq.  
8 Timothy J. Sabo, Esq.  
Roshka DeWulf & Patten, PLC  
One Arizona Center  
400 East Van Buren, Suite 800  
Phoenix, Arizona 85004

10 William P. Sullivan, Esq.  
11 Curtis, Goodwin, Sullivan,  
Udall & Schwab, P.L.C.  
2712 North Seventh Street  
Phoenix, Arizona 85006-1003

13 Lyn Farmer, Esq.  
14 Chief Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

17 Christopher C. Kempley, Esq.  
18 Chief Counsel, Legal Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

20 Ernest G. Johnson, Esq.  
21 Director, Utilities Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

23  
24 By \_\_\_\_\_